

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

CHRISTOPHER YARBROUGH,

Petitioner,

VS.

**WARDEN KENNETH JONES and
THE ATTORNEY GENERAL
FOR THE STATE OF ALABAMA,**

Respondents.

Civil Action Number
5:11-CV-2458-VEH-JEO

MEMORANDUM OPINION

This case involves a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 by petitioner Christopher Yarbrough, challenging his conviction for felony murder and three counts of first-degree assault in the Circuit Court of Madison County. (Doc. 1). After preliminary review, the magistrate judge assigned this case issued a Report and Recommendation, finding that the petition was due to be denied and dismissed with prejudice as time-barred. (Doc. 10 at 4). Yarbrough has not filed any objections to the magistrate judge's determination within the time proscribed.

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be

adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed with prejudice. An appropriate order will be entered.

DONE this the 16th day of February, 2012.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

VIRGINIA EMERSON HOPKINS
United States District Judge